IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
(SUO MOTU) CONTEMPT PETITION NO.42 OF 1992

The Member,
Industrial Court,
Thane. .... Petitioner

Vs.

K.H. Dastoor,
Secretary General,
Association of Chemical
Workers, Tel Rasayan Bhavan, .... Respondent/
Dadar, Bombay. Contemnor

Ms N.D. Buch for the Respondent/Contemnor.

**CORAM:** R.M.S. KHANDEPARKAR, J.

**DATED:** NOVEMBER 22, 2004

**ORAL JUDGMENT:**

1. Heard the learned Advocate for the respondent/contemnor. Perused the records.

2. It appears that pursuant to an application dated 17-5-1991 filed by the respondent, a report appears to have been made by the Member of the Industrial Court for initiating contempt proceedings against the respondent. It is sought to be recorded in the said report that the contents of the application dated 17-5-1991 are contemptuous. However, perusal of the application does not disclose any such contemptuous statement in the application. Merely because the applicant had stated that the Court had granted adjournment most reluctantly

or that the Court is inclined to vacate the order, that does not amount to making any contemptuous statement against the Presiding Officer of the Court and, therefore, the same does not warrant any contempt proceedings against the respondent. In any case, the said application nowhere discloses violation of any order as such and, therefore, there is no case for initiating contempt proceedings against the respondent in terms of Section 2(b) of the Contempt of Courts Act, 1971. Hence the proceedings are dropped and stand disposed of. The rule stands discharged.

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